



The Resident **CONNECTION**

2nd Quarter 2025



President's Message

At this time, I couldn't write an article on anything other than the most recently proposed state legislation from the Office of Insurance Regulation (OIR), namely Senate Bill 1656/House Bill 1429. There has been much

controversy and confusion since January 2025, resulting in the division of residents in some CCRCs over this legislation.

This legislation was proposed solely by the OIR to address perceived gaps of regulatory authority, especially for troubled CCRCs. Florida Statute 651 regulates the operation of continuing care communities within the State of Florida. Since it was adopted into law in 1977, the CCRC model has changed measurably in the many decades since its inception. Over the years, the law has been updated to keep up with the changes in the CCRC model and the marketplace.

In the 1970s, the idea of providing a home for seniors was mostly left to religious organizations and often were stand-alone facilities. Compare that to today, with large corporations that own CCRCs in many states. Currently in the State of Florida, there are six owner/operators that own and or manage 60% of the licensed CCRCs. Of that 60%, some operators (both for-profit and non-profit) have a management company in place to run the daily operation of the CCRC. This is one of the areas that the OIR felt needs updating in the Statute. The remaining 40% of communities are primarily independent not-for-profit continuing care retirement communities that are not part of an obligated group.

The two back-to-back bankruptcies in Tampa, first University Village and then Unisen, have caused angst among the CCRC community. The OIR saw fit to look at the Statute and make changes to protect resident interests. Neither LeadingAge Southeast nor FLiCRA was involved in drafting this legislation. On a personal level, I don't think the OIR needs anyone's permission to propose legislation that they feel is necessary to protect the residents of CCRCs.

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I couldn't help but think of the evicted residents of Unisen who would probably have appreciated legislation that would guard against losing their homes and money through bankruptcy.

Even though CCRC legislation did not pass this session, the issues that spurred the filing of legislation this year remain. FLiCRA and LeadingAge Southeast will be participating in a work group over the summer in an effort to come up with 2026 legislation hopefully amenable to all.

Patricia Burdsall, FLiCRA President

Resident Council Education Series Launched by FLiCRA

FLiCRA is excited to announce the launch of the first module in a series of modules that will focus on Best Practices for Florida CCRC Resident Councils. The launch of this online education is the result of a Future Forward Task Force made up of FLiCRA state board members and other volunteers. Each module will be 15 to 30 minutes in length and are self-paced.

The first two modules have been launched and are now available on the FLiCRA website. Modules are provided in the Education section of the website.

Module 1 – Intro Into Continuing Care Retirement Communities
Module 2 – F.S. 651 The Basics

<https://www.flicra.com/education/>

Thank you to Cindy Barber, FLiCRA Region 6 Director, and a resident of Gulf Coast Village, in Cape Coral, for her videography as well as fellow residents at Gulf Coast Village who provided additional narration.

Other forthcoming modules will be released later this year.

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FLiCRA 2025 Call for Nominations

DIRECTOR-AT-LARGE SEAT ON THE FLiCRA STATE BOARD OF DIRECTORS

The next slate of the state FLiCRA Board of Directors will be elected at the 2025 annual conference.

The date and location for the delegates' annual conference is October 16, 2025, at Vicar's Landing in Ponte Vedra Beach.

The association is seeking interested members to submit their names for consideration for a director-at-large seat this election cycle.

Director-at-Large Seat

There are two director-at-large seats open for the fall 2025 election. Two individuals serving in these seats are finishing their 1st three-year term. Both individuals are eligible to run for a 2nd three-year term. Any interested candidate (statewide) can submit their name for consideration. The newly elected directors would take office at the conclusion of the 2025 annual conference.

The Board of Directors for FLiCRA consists of a minimum of twelve members, at least four of which are directors-at-large. Previous service as a local chapter board member is not required but may be helpful in fulfilling the duties of a state board member.

Qualities and Duties of FLiCRA State Board Members

The members of the FLiCRA state board of directors are the stewards of the association and are responsible for reflecting the views and interests of all our members. The board also provides leadership, a shared vision, and sense of mission for the association and is responsible for the fiscal health of the association.

A board member must be a current member of the association.

Effective boards of directors approach their role focusing on policy making not day-to-day operations of the organization.

FLiCRA Board Service Time Requirements

Each term on the board is a three-year term, and a board member can serve up to two consecutive three-year terms in a director position. Officers are elected by the board and those are one-year terms.

Service on the FLiCRA board requires attendance at a minimum of three meetings a year (February – ½ day meeting usually in person, May – by Zoom, October ½ day in conjunction with the annual conference).

FLiCRA board members are reimbursed for travel under the following policy: Board members may be reimbursed for mileage, lodging and meal expenses for attending FLiCRA meetings.

To assist in developing a slate of candidates, all members who are willing to serve for nomination to the state FLiCRA board of directors should submit their names, address, phone numbers, email address and a brief career bio by **July 25, 2025**.

Mail:

Nominations Committee Chair
c/o FLiCRA
325 John Knox Road, L103
Tallahassee, FL 32303

Email:

bennett@executiveoffice.org

Point Counterpoint – Transparency of Views from FLiCRA Members

During the course of the 2025 Florida Legislative Session there was considerable communication on proposed continuing care retirement community reforms. Given the comprehensive nature of the original proposed reforms, there was a spectrum of views from residents and providers. Some believed the originally filed Senate and House Bills went too far, some believed the bills did not go far enough. The FLiCRA state board of directors determined to take a measured approach and support four “concepts” addressed in the proposed legislation.

These concepts include:

- A definition of “management companies.”
- Improving definitions of “governing body of the provider.”
- Improving standing of resident claims in a “state receivership or liquidation of a CCRC.”
- Increased financial transparency especially when a CCRC is under administrative supervision by the state of Florida or in bankruptcy.

In the spirit of transparency, FLiCRA is sharing formal positions and requests from two local FLiCRA chapters on the 2025 CCRC legislation. The formal positions are being published in this newsletter.

The vast majority of input (in person, in writing, by phone) received by FLiCRA staff and state board members during January to May 2025 was in favor of FLiCRA taking a position of support of “specific” principles that were addressed in the original and amended versions of Senate Bill 1656/House Bill 1429.

Statement from Lamar Miller Chapter Oak Hammock

The concern of the Oak Hammock FLiCRA chapter board was as follows: The bill proposed by OIR was in no condition to be put before the legislature. The affected industry was strongly opposed to it and had not even been consulted about it. If there is room for compromise, the legislators expect that to take place before the bill comes to them. They do not have the time to referee difficult negotiations amongst

affected groups. Our board resolved to adopt the following position: The bill should be withdrawn from filing with the legislature and not be resubmitted until it has been discussed with LeadingAge and FLiCRA and refined with the benefit of their input.

Letter to Patricia Burdsall, FLiCRA President from Fleet Landing FLiCRA Chapter

The Board of Directors of Fleet Landing’s FLiCRA Chapter 145 met February 14 to review the proposed 2025 Florida Office of Insurance Regulation Agency Package with changes to Florida Statute 651 (FS-651). Your summary was helpful in noting OIR has repeated their 2017 approach of not coordinating proposed changes within this 2025 bill of changes to Florida Statute 651 with stakeholders LeadingAge or FLiCRA. As a result, we have no impact assessment on facility operations or costs to life-care residents that would result from OIR recommended changes.

At my request, Fleet Landing’s CEO shared concerns that adoption of the proposed OIR changes would specifically prohibit Fleet Landing’s business model that has been successful in expanding and improving the Fleet Landing campus over the last 3 decades without impacting the cost to current residents. If passed, the 2025 bill could impose tens of thousands of dollars of cost on each current resident each year to keep pace with planned capital improvement to the Fleet Landing campus. This is only one of many concerns regarding the sweeping changes proposed by OIR’s bill of changes for the 2025 Florida legislative session.

After review, the Fleet Landing Board of Directors of Fleet Landing’s FLiCRA Chapter 145 passed a resolution opposing OIR’s 2025 bill of changes. We ask that FLiCRA vigorously and most emphatically communicate FLiCRA’s opposition to the 2025 OIR bill for changes to FS651 to appropriate bodies within the Florida legislature and Governor DeSantis, with the mandate to defeat the bill during the 2025 session. Additionally, I request that you

take all steps necessary to force OIR into coordination with stakeholders to craft a refined bill for next year that will address any necessary changes to current law while minimizing any operational or cost impact on life care communities and their residents.

Please note that Fleet Landing is inviting the Florida Commissioner of Insurance and a representative

of LeadingAge to a Fleet Landing community-wide information session on 25 February 2025 to better understand OIR's proposal and its impacts. FLiCRA is of course also invited either in person or via a Zoom dial in if you or Bennett are available.

Karen Farrell

President, Fleet Landing's FLiCRA Chapter 145

FLiCRA & LeadingAge Southeast Workgroup

LeadingAge Southeast and the Florida Life Care Residents Association (FLiCRA), in partnership with other key stakeholders, announce the formation of a new workgroup dedicated to reviewing and strengthening regulations for Florida's Continuing Care Retirement Communities (CCRCs).

The workgroup will focus on ensuring that Florida's CCRCs remain financially viable, offering stability and security to both residents and communities. As part of this collaborative effort, the workgroup will evaluate current regulatory frameworks and identify opportunities for improvements that better protect the interests of CCRC residents and their financial investments. The group will meet 4-5 times this summer.

FLiCRA Representatives to the Workgroup

Pat Burdsall

Indian River Estates West, Vero Beach
FLiCRA State President
Retired Casino Management

Ken Shanahan

John Knox Village, Pompano Beach
FLiCRA State Vice President
Designated Resident Representative at JKV,
Pompano Beach and Chair of Budget and Finance
Committee
Retired Commercial Banker

Roger Mentz

Vicars Landing, Ponte Vedra Beach
FLiCRA Chapter President
Retired Tax Attorney, Former Assistant Secretary
of the U.S. Treasury

Sondra Thorson

Freedom Plaza, Sun City Center
FLiCRA Director-at-Large
Designated Resident Representative at Freedom
Plaza
Retired Corporate Attorney

Basil Pflumm

Village on the Green Longwood
Past Resident Council Chair and former president of
NaCCRA
Retired CPA and Internal Auditor, Brigadier General,
USAF

LeadingAge Representatives to the Workgroup

Troy Churchill, CEO

Cypress Cove, Fort Myers

Hank Keith, CEO

Westminster Communities of Florida
(12 non-profit CCRCs in Florida)

Dan Lavender, CEO

Moorings Park, Naples

Joel Anderson, CEO

LifeStar Living

Scott Gensler, Senior Vice President, Real Estate Acquisitions & Government Affairs

Erickson Senior Living
(3 for-profit CCRCs in Florida)

Progress in Motion: Florida Insurance Reforms Gaining Momentum

Over the past several years, Florida's property insurance market has teetered on the brink of collapse. Premiums soared, insurers left the state, Citizens Property Insurance was well beyond its intended size, and homeowners were left grappling with ever-rising costs and fewer options. The situation was untenable, and something had to give. Florida lawmakers responded with a series of reforms over the last few years aimed at stabilizing the market and recent data indicates that progress is being made.

As of today, there are signs that the market is stabilizing despite a pair of active hurricane seasons. Since 2023, more than 25 new insurers have entered the market, attracted by the reforms that have restored some semblance of market predictability and an improved litigation environment. Capital investment is on the rise, insurance rates have stabilized (and even decreased in some cases), and according to their December Press release, Citizens has successfully offloaded more than 400,000 policies to private insurers over the last year, a major step in reducing the state's exposure.

Additionally, according to the Florida Office of Insurance Regulation, litigation is on the decline, as a recent announcement touted that lawsuit filings against insurers are down 23% this year and are back to pre-2018 levels. Despite these positive developments, consumers are still feeling the sting of rates far above those in comparable states and insecurity as it relates to the availability of coverage following costly hurricane strikes.

Lawmakers should certainly take their constituents' concerns to heart but also be clear about where things stand today as opposed to a couple of years ago when insurance rates were dramatically increasing, competition was decreasing, and losses due to uncontrolled litigation were fleecing the industry and triggering downgrades and insolvencies.

This shift is not the result of a single action, but rather a multifaceted approach that has sought to address the root causes of Florida's insurance crisis, rampant litigation abuse, fraud, and an unsustainable reinsurance market.

The most significant change has been the overhaul of Florida's legal framework governing property insurance claims. Lawsuits, particularly those related to roof damage claims, had become a major cost driver, leading to higher premiums and insurer insolvencies. The reforms targeted the so-called "assignment of benefits" (AOB) scheme, which allowed contractors to bypass homeowners and take legal action directly against insurers. This practice incentivized frivolous lawsuits and skyrocketed the cost of claims. By limiting AOB abuse, Florida has curtailed some of the most egregious legal practices, thereby reducing litigation costs and increasing insurer confidence in the market.

Additionally, reforms have aimed at bolstering the reinsurance market, which has traditionally been a key factor in the availability and affordability of property insurance in the state. This includes creation of the Reinsurance to Assist Policyholders and the Florida Optional Reinsurance Assistance programs, giving insurers more capacity to absorb large-scale losses from major storms without having to raise premiums across the board. These moves have helped to stabilize the market and prevent the kind of mass exodus that has plagued Florida in recent years.

The effects of these reforms are already being felt. Several major insurers, including some that had previously pulled back or exited the market entirely, have started to return to Florida, signaling a shift toward greater competition. While premium reductions may not be dramatic, the trend is positive, and the market's overall stability is improving.

Yet, the path to full recovery is not without its challenges. While progress is evident, it is important to recognize that the reforms are still in their early stages. The insurance market is inherently volatile, especially in a state as prone to natural disasters as Florida. Drastic changes to the reform package could destabilize the fragile progress that has been made, and this is not the time for policymakers to embrace the political expediency of undoing reforms that have only begun to take hold. Immediate, large-scale premium reductions are not realistic. This problem was 20 years in the making and no solutions will fix it overnight. The reforms need time to fully materialize, and the market needs time to adjust to the new dynamics at play.

Florida's property insurance market is on the right path, but this recovery is still a work in progress. The reforms introduced over the past few years have laid a solid foundation for a more sustainable and competitive market.

Prematurely undoing the changes could jeopardize the hard-won stability that Floridians are beginning to enjoy. Policymakers must resist the temptation to abandon course and instead focus on refining and building upon the progress already made. Patience, tempered with thoughtful adjustments, is the key to securing a more stable and affordable future for Florida's property insurance market.

Doug Wheeler is the Director of the George Gibbs Center for Economic Prosperity.

https://floridadaily.com/progress-in-motion-insurance-reforms-gaining-momentum/#google_vignette

FLiCRA Members at the Capitol



Above: Marjorie Turnbull, resident, Westminster Oaks, and former State Representative; Irene and George Harper, residents, St. Andrews Estates; Charlotte Cummings, resident, Westminster Oaks; Jim Jandreau, resident, Cypress Village visit the FLiCRA office before testifying at the Senate Banking & Insurance Committee.

Left: Florida Insurance Commissioner Mike Yaworsky meets with Charlotte Cummings, resident, Westminster Oaks, Tallahassee and William Stander, FLiCRA Legislative Representative.



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FLiCRA Annual Conference & Chapter Delegates Meeting

Keynote Speaker



Katherine C. Pearson is a Professor of Law and the Arthur L. and Sandra S. Piccone Faculty Scholar at Dickinson Law, Pennsylvania State University in Carlisle, Pennsylvania. Her scholarship focuses on laws and policies connected to aging and she frequently includes age-related issues in her teaching

of courses on contract law, conflicts of law and non-profit organizations law. During the Fall semester of 2018, she initiated a new format for her elder law course, with individual modules permitting in-depth examination of selected financial planning, care planning (including end-of-life decision making), and comparative law issues. She is the author of articles and chapters on long-term care, continuing care communities, financing and filial obligations, and

is the co-author of a treatise, *The Law of Financial Abuse and Exploitation* (Bisel 2011). As a former U.S. Fulbright Scholar (U.K. in 2010), her work includes international, comparative analysis of laws affecting families, including work as an international consultant to promote better systems for safeguarding and adult social care.

She is a writer and co-editor for the Elder Law Prof Blog, at http://lawprofessors.typepad.com/elder_law/.

FLiCRA Annual Conference & Chapter Delegates Meeting

October 16, 2025

Vicar's Landing, Ponte Vedra Beach

The full conference schedule and attendee registration form will be available in the 3rd Quarter Resident Connection.